UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,338	10/23/2001	Arun P. Gupta	SUNMP024	7269

25920	7590	09/10/2004

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EXAMINER
TRAN, QUOC A

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/038,338	GUPTA, ARUN P.
	Examiner	Art Unit	
	Quoc A. Tran	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _23 October 2001_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _06/16/2003_.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to application filed 10/23/2001.

2.   Claims 1-20 are pending. Claims 1, 11 and 16 are independent claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

4.   **Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable by**

Sonnenfeld US Patent No. 6,112,049 issued 08/29/2000 filed 10/21/1997

(hereinafter '049), in view of Stone et al. US Pub No. 2002/0107889 A1 issued

08/08/2002 filed 02/08/2001 (hereinafter '889).

      Claim 1 is representing claims 2-11;

      In regard to independent claim 1, *"executing a test; generating test results",* as

taught by '049 at col. 2, lines 10-50 (i.e..... constructed...education test...transmit a test

part, and receive result...(HTML) 3.0 is presently preferred...);

      '049 does not explicitly teach, *"results in an Extensible Markup Language (XML)*

enabled format", however, as taught by '889 at page 2, paragraph [0022] (i.e.....

communication network 10 suitable for practicing ... The data transfer may be a purchase order, manufacturing metrics, or the like. The remote data access control facility 16 receives a copy of the data transmitted, in an XML format...),

"*and processing the XML enabled test results to create a test summary report*", as taught by '889 at page 3, paragraph [0031] (i.e.…. The destination location 18 includes a report generator 38 that interfaces with the remote data access control facility 16 via the network 14. ... The report generator 38 is capable of performing data analytics while the data is in a markup language format such as XML...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '889 into '049 to provide a way to provide the test result and the summary report in the Extensible Markup Language (XML) enabled format. One of the ordinary skills in the art would have been motivated to perform such a modification to establish a standard format for interchanging data via a communication network known as Electronic Data Interchange (EDI) to ensure data compatibility with legacy system, as taught by '889 at page 1, paragraph [0003] (i.e.…. data via a communication network is the establishment of the standardized data format known as the Electronic Data Interchange (EDI)...).

In regard to dependent claim 2, "*the test results are generated utilizing a status utility having functions that generate XML code*", as taught by '889 at page 3, paragraph [0031] (i.e. The report generator 38 is capable of performing data analytics while the data is in a markup language format such as XML, and publish the analytic results in a

pre-defined format such as, the hypertext markup language (HTML) format, or the

Microsoft Excel format, or the like to...).

In regard to dependent claim 3, *"the test results are output to a test execution*

log file, the test execution log file including a log of the test execution", as taught by '049

at col. 9, lines 45-65 (i.e. The ITS system also maintains vital test statistics, such

as....).

In regard to dependent claim 4, *"generate a well-formed XML test reports file",*

as taught by '889 at page 3, paragraph [0031] (i.e.... The report generator 38 is capable

of performing data analytics while the data is in a markup language format such as

XML...).

In regard to dependent claim 5, *"wherein the well-formed XML test reports file*

is further valid with respect to a Test document type definition (DTD)", as taught by '889

at page 4, paragraph [0034] (i.e.... the extended schema 37 includes an attribute of

syntax type character having the name "DTD" which specifies a Document Type

Definition for a given markup language document...).

In regard to dependent claim 6, *"the operation of logically arranging the well-*

formed XML test reports tile to create a logically arranged XML test reports file", as

taught by '889 at page 3, paragraph [0031] (i.e.... The report generator 38 is capable of

performing data analytics while the data is in a markup language format such as

XML...).

In regard to dependent claim 7, *"the logically arranged XML test reports file*

includes test suite tags indicating test reports that belong to particular test suites", as

taught by '889 at page 3, paragraph [0031] (i.e.... the extensible markup language

(XML) format. ... define and encapsulate a set of rules into an object of the directory,

where the rules specify which tags can appear in the data document and how the tags

should appear in the data document. In this manner, the data owner may provide a

document content framework or schema that supports the data owner's internal data

needs within its legacy information system that also supports the external data ...data

filters, interpreters, EDI formatting ...).

In regard to dependent claim 8, *"generated by converting the logically arranged*

XML test reports file into a HTML test summary report", as taught by '889 at page 3,

paragraph [0031] (i.e. The report generator 38 is capable of performing data analytics

while the data is in a markup language format such as XML, and publish the analytic

results in a pre-defined format such as, the hypertext markup language (HTML) format,

or the Microsoft Excel format, or the like to).

In regard to dependent claim 9, *"the HTML test summary report provides a test*

summary of the test execution log file", as taught by '049 at col. 9, lines 45-65 (i.e. The

ITS (Interact Testing System) system also maintains vital test statistics, such as...).

In regard to dependent claim 10, *"includes links to failure description pages,*

wherein the failure description pages provide a detailed description of a particular test

failure", as taught by '049 at col. 4, lines 5-14 (i.e.... manual change or error in

transmission will result in an indication of tampering. In order to reduce the possibility of

data transmission errors, an error correction and detection code (EDC) may be

provided...).

In regard to independent claim 11, is directed to (XML) based report generator for performing the method of claims 1, 4, 6, 8 and is similarly rejected along the same rationale.

In regard to claims 12-15 consecutively, are directed to (XML) based report generator for performing the method of claims 5, 7, 8 and 10 consecutively, and are similarly rejected along the same rationale.

In regard to independent claim 16, incorporate substantially similar subject matter as cited in claims 1-4, 6 and 8 above, and is similarly rejected along the same rationale.

In regard to dependent claim 17, incorporate substantially similar subject matter as cited in claim 5 above, and is similarly rejected along the same rationale.

In regard to dependent claim 18, incorporate substantially similar subject matter as cited in claim 8 above, and is similarly rejected along the same rationale.

In regard to dependent claims 19-20 consecutively, incorporate substantially similar subject matter as cited in claims 9-10 consecutively above, and are similarly rejected along the same rationale.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wanderski et al.   U.S. Patent No. 6,519,617B1   issued 02/11/2003   filed 04/08/1999

Howard et al.   U.S. Patent No. 6,768,994B1   issued 07/27/2004   filed 02/23/2001

Moore et al.   U.S. Pub No. 2001/0056429A1   issued 12/27/2001   filed 03/21/2001

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (703) 305-8781, "**After mid-Oct, 2004, the examiner can be reach at (571) 272- 4103**". The examiner can normally be reached on Monday through Friday from 8:30AM to 5:30PM.
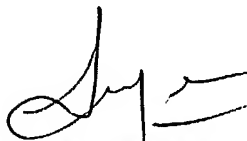
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A. Tran
Patent Examiner
Technology Center 2176
August 27, 2004

SANJIV SHAH
PRIMARY EXAMINER